



S/N 09/509,449

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	AOYAGI et al.	Examiner:	WORTMAN, D.
Serial No.:	09/509,449	Group Art Unit:	1648
Filed:	28 March 2000	Docket No.:	594.352USWO
Title:	METHOD FOR MEASUREMENT OF HEPATITIS C VIRUS		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 3-18-04.

By:

Name: Kay Fahland

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL
DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, Advanced Life Science Institute, Inc., a corporation organized and existing under the laws of Japan and having its primary place of business at 2-10-23, Maruyamadai, Wako-shi, Saitama 351-0112, Japan, through the undersigned attorney of record, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 09/509449, filed on March 28, 2000 and entitled METHOD FOR MEASUREMENT OF HEPATITIS C VIRUS.

Petitioner, Advanced Life Science Institute, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S.


Patent No. 6,623,921 dated September 23, 2003, and entitled METHOD FOR MEASUREMENT OF HEPATITIS C VIRUS ("second application") and hereby agrees that any patent so granted on the present application No. 09/509449 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,623,921, this agreement to run with any patent granted on the present application 09/509449 and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the present application that would extend to the full statutory term as shortened by any terminal disclaimer filed prior to the patent grant on the second application, in the event that any such issued patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Date:

March 18, 2004

Signed:


Name: Douglas P. Mueller

Reg. No. 30,300

Title: Attorney of Record

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PATENT TRADEMARK OFFICE

THE STATEMENT BELOW IS FOR OFFICE USE ONLY

In accordance with the decision granting the petition filed on _____, _____, this terminal disclaimer is accepted. The period of patent lapse specified above has been accepted as equivalent to ____ months.

Petitions Examiner